

Docket No. 43853USA4B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
TARLOCHAN S. PUREWAL AND)
DAVID J. GREENLEAF)
Serial No. 07/649,140)
Filed: January 30, 1991) Group Art Unit: 152
For: MEDICINAL AEROSOL) Examiner:
FORMULATIONS)

PRELIMINARY AMENDMENT

Please amend the subject application as follows:

In the Specification

On page 17, line 7, replace "0.058" with
--0.58--.

Remarks

The amendment above corrects an inadvertent typographical error that was made in the subject application. The circumstances of the error are set forth in the accompanying Declaration of David J. Greenleaf. In view of the fact that one skilled in the art would recognize the use of 0.058g of ethanol would not afford a formulation with a volume of 5mL, Applicants contend that one of ordinary skill in the art would recognize that the ethanol volume of 0.058g is incorrect.

Moreover, Applicants contend that, because the use of 0.58g of ethanol would be seen by one of ordinary skill in the art to afford a volume of 5mL, one of ordinary skill in the art would recognize that the actual amount of ethanol used in Example 24 is 0.58g. Thus the amendment does not introduce new matter into the specification.